

110TH CONGRESS
2D SESSION

S. 2949

To establish the Mark O. Hatfield Scholarship and Excellence in Tribal Governance Foundation and for other purposes.

IN THE SENATE OF THE UNITED STATES

APRIL 30, 2008

Mr. SMITH introduced the following bill; which was read twice and referred to the Committee on Indian Affairs

A BILL

To establish the Mark O. Hatfield Scholarship and Excellence in Tribal Governance Foundation and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Mark O. Hatfield
5 Scholarship and Excellence in Tribal Governance Act of
6 2008”.

7 **SEC. 2. FINDINGS.**

8 Congress finds that—

9 (1) Senator Mark O. Hatfield served the United
10 States with distinction and honor;

1 (2) Senator Hatfield has had a lasting impact
 2 on the relationship between the United States and
 3 Native Americans, restoring to Federal recognition
 4 the Grand Ronde, Coquille, Cow Creek Band of
 5 Umpqua Indians, Confederated Tribes of the Coos,
 6 Lower Umpqua and Siuslaw Indians, and Confed-
 7 erated Tribes of Siletz Indians;

8 (3) Senator Hatfield has been a champion of
 9 the rights of Native Americans and Alaska Natives
 10 and worked in Congress to strengthen tribal self-
 11 governance; and

12 (4) it is a fitting tribute to the leadership, cour-
 13 age, and bipartisan spirit that Senator Mark O.
 14 Hatfield exemplifies to establish in his name pro-
 15 grams to encourage excellence in tribal government.

16 **SEC. 3. DEFINITIONS.**

17 In this Act:

18 (1) **BOARD.**—The term “Board” means the
 19 Board of Trustees of the Foundation.

20 (2) **ELIGIBLE INDIVIDUAL.**—The term “eligible
 21 individual” means a citizen or national of the United
 22 States or a permanent resident alien of the United
 23 States.

24 (3) **FOUNDATION.**—The term “Foundation”
 25 means the Mark O. Hatfield Scholarship and Excel-

1 lence in Tribal Governance Foundation established
 2 by section 4(a).

3 (4) INSTITUTE.—The term “Institute” means
 4 the Institute for Tribal Government at Portland
 5 State University.

6 (5) INSTITUTE POLICY BOARD.—The term “In-
 7 stitute Policy Board” means the Institute Policy
 8 Board for the Institute for Tribal Government at
 9 Portland State University.

10 (6) INSTITUTION OF HIGHER EDUCATION.—The
 11 term “institution of higher education” has the
 12 meaning given the term in section 101(a) of the
 13 Higher Education Act of 1965 (20 U.S.C. 1001(a)).

14 (7) STATE.—The term “State” means—

15 (A) a State;

16 (B) the District of Columbia;

17 (C) American Samoa;

18 (D) the Commonwealth of the Northern
 19 Mariana Islands;

20 (E) Guam;

21 (F) the Republic of the Marshall Islands;

22 (G) the Federal States of Micronesia;

23 (H) the Republic of Palau;

24 (I) the Commonwealth of Puerto Rico; and

25 (J) the United States Virgin Islands.

1 **SEC. 4. ESTABLISHMENT OF THE MARK O. HATFIELD**
2 **SCHOLARSHIP AND EXCELLENCE IN TRIBAL**
3 **GOVERNANCE FOUNDATION.**

4 (a) **ESTABLISHMENT.**—There is established as an
5 independent entity in the Executive branch the Mark O.
6 Hatfield Scholarship and Excellence in Tribal Governance
7 Foundation.

8 (b) **BOARD OF TRUSTEES.**—

9 (1) **IN GENERAL.**—The Foundation shall be
10 subject to the supervision and direction of a Board
11 of Trustees.

12 (2) **MEMBERSHIP.**—The Board shall consist of
13 the Institute Policy Board.

14 (c) **LOCATION OF FOUNDATION.**—The Foundation
15 shall be located in Portland, Oregon.

16 (d) **EXECUTIVE DIRECTOR.**—

17 (1) **IN GENERAL.**—There shall be an Executive
18 Director of the Foundation, who shall be appointed
19 by the Board.

20 (2) **DUTIES.**—The Executive Director—

21 (A) shall be the chief executive officer of
22 the Foundation; and

23 (B) shall carry out the functions of the
24 Foundation, subject to the supervision and di-
25 rection of the Board, and such other functions

1 consistent with this Act as the Board shall pre-
2 scribe.

3 (3) COMPENSATION.—The Executive Director
4 may be compensated at the rate specified for an em-
5 ployee in level IV of the Executive Schedule under
6 section 5315 of title 5, United States Code.

7 **SEC. 5. PURPOSES.**

8 The purposes of the Foundation shall be—

9 (1) to develop resources to properly train Na-
10 tive American and Alaska Native tribal council mem-
11 bers in self-government and related fields;

12 (2) to foster among people in the United States
13 greater recognition and understanding of the role of
14 tribal self-government in the development of the
15 United States;

16 (3) to identify critical issues facing tribal gov-
17 ernments;

18 (4) to establish a program for tribal governance
19 research at the Institute; and

20 (5) to provide educational outreach regarding
21 tribal self-government.

22 **SEC. 6. AUTHORITY OF THE FOUNDATION.**

23 (a) IN GENERAL.—The Foundation, in consultation
24 with the Institute, may identify and conduct such pro-

1 grams, activities, and services as the Foundation considers
 2 appropriate to carry out the purposes of the Foundation.

3 (b) PROGRAMS, ACTIVITIES, AND SERVICES.—The
 4 Foundation may, in accordance with this section—

5 (1) award scholarships, fellowships, internships,
 6 and grants; and

7 (2) provide grants to the Institute to carry out
 8 and manage other programs, activities, and services.

9 (c) NATIONAL COMPETITION.—The Foundation may
 10 provide, directly or by contract, for the conduct of a na-
 11 tional competition for the purpose of selecting recipients
 12 of scholarships, fellowships, internships, and grants
 13 awarded under this Act.

14 (d) AWARD OF SCHOLARSHIPS, FELLOWSHIPS, IN-
 15 TERNSHIPS, AND GRANTS.—

16 (1) IN GENERAL.—The Foundation may award
 17 scholarships, fellowships, internships, and grants to
 18 eligible individuals who meet the minimum criteria
 19 established by the Foundation, for study in fields re-
 20 lating to tribal governance.

21 (2) MARK O. HATFIELD SCHOLARS.—Recipients
 22 of scholarships, fellowships, internships, and grants
 23 under this Act shall be known as “Mark O. Hatfield
 24 Scholars”.

25 (e) SCHOLARSHIPS.—

1 (1) IN GENERAL.—The Foundation may award
2 scholarships to outstanding—

3 (A) undergraduate students who intend to
4 pursue careers relating to tribal governance;
5 and

6 (B) Native American and Alaska Native
7 undergraduate students who intend to pursue
8 careers in tribal public policy.

9 (2) PAYMENTS.—An eligible individual awarded
10 a scholarship under this Act may receive payments
11 under this Act only during such periods as the
12 Foundation determines that the eligible individual—

13 (A) is maintaining satisfactory proficiency
14 and devoting full time to study or research; and

15 (B) is not engaging in gainful employment
16 other than employment approved by the Foun-
17 dation under regulations of the Board.

18 (3) REPORTS.—

19 (A) IN GENERAL.—The Foundation may
20 require reports containing such information, in
21 such form, and to be filed at such times as the
22 Foundation determines to be necessary from
23 any eligible individual awarded a scholarship
24 under this Act.

1 (B) CERTIFICATE.—Except as otherwise
 2 provided under this subsection, a report under
 3 subparagraph (A) shall be accompanied by a
 4 certificate from an appropriate official at the
 5 institution of higher education, approved by the
 6 Foundation, stating that the individual is mak-
 7 ing satisfactory progress in, and is devoting es-
 8 sentially full time to, study or research.

9 (f) FELLOWSHIPS.—The Foundation may award fel-
 10 lowships to—

11 (1) outstanding graduate students who intend
 12 to pursue advanced degrees in fields relating to trib-
 13 al governance;

14 (2) outstanding Native American and Alaska
 15 Native graduate students who intend to pursue ad-
 16 vanced degrees in tribal public policy, law, or medi-
 17 cine; and

18 (3) faculty from a variety of disciplines to bring
 19 the expertise of the faculty to the Foundation.

20 (g) INTERNSHIPS.—The Foundation may award in-
 21 ternships to deserving and qualified—

22 (1) individuals, for use in participating in in-
 23 ternships in Federal, State, and local agencies or in
 24 offices of major tribal governance organizations; and

1 (2) Native American and Alaska Native individ-
2 uals, for use in participating in internships in Fed-
3 eral, State, and local agencies or in offices of major
4 public health or public policy organizations.

5 (h) GRANTS.—The Foundation shall award grants to
6 the Institute—

7 (1) to provide for an annual panel of experts to
8 discuss contemporary tribal governance issues;

9 (2) to conduct tribal governance policy research;

10 (3) to conduct research on Native American
11 and Alaska Native tribal public policy issues; and

12 (4) to invite visiting policymakers to share prac-
13 tical experiences with the Foundation.

14 (i) COORDINATION.—The Foundation shall assist in
15 the development and implementation of a program for
16 tribal governance research to be located at the Institute.

17 (j) PROGRAM PRIORITIES.—

18 (1) IN GENERAL.—Subject to paragraph (2),
19 the Foundation shall determine—

20 (A) the priority of the programs to be car-
21 ried out under this Act; and

22 (B) the amount of funds to be allocated for
23 the programs.

24 (2) REQUIREMENTS.—Of amounts made avail-
25 able to carry out this section—

1 (A) not less than 50 percent shall be used
2 for the programs described in subsections (e),
3 (f), and (g);

4 (B) not less than 20 percent shall be made
5 available to the Institute to carry out sub-
6 sections (h) and (i), on the conditions that—

7 (i) a 25-percent matching share is
8 provided from other non-Federal sources;
9 and

10 (ii) adequate space at the Institute is
11 made available by the Institute for the Ex-
12 ecutive Director and other appropriate
13 staff of the Foundation; and

14 (C) not more than 15 percent shall be used
15 for salaries and other administrative purposes.

16 **SEC. 7. AUTHORIZATION OF APPROPRIATIONS.**

17 There are authorized to be appropriated such sums
18 as are necessary to carry out this Act.

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